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**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application Number: 10/061,813
Filing Date: January 31, 2002
Appellant(s): BALDWIN ET AL.

William J. Breen, III
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed August 15, 2006 appealing from the Office action mailed October 19, 2006.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

| | | |
|---|---|---|
| US2002/0059623 | Rodriquez et al | 05-2002 |
| 5,990,883 | Byrne et al | 11-1999 |

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 4, 9, 18, 21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriquez et al (US PGPUB US2002/0059623) in view of Byrne et al (US Patent #5,990,883).

Claim 4 discloses a method comprising: storing program data for an electronic program guide (EPG) in multiple tables, each table comprising one or more records with one or more fields and at least two said tables are related such that one said record in one said table indexes another said record in another said table, wherein the records comprise program records containing programming information, individual program records having a title field to identify a program name; and sorting the records in the tables according to a selected field type prior to delivery of the program data to a remote client and the sorting comprises arranging the program records in tables according to a stopped name version of the program name in the title field. Rodriguez et al teaches of storing program data for an EPG in a digital broadband delivery system (DBDS) (paragraphs 21 and 117), presenting program data in a channel-time grid which contains multiple records (paragraph 73), multiple sets of tables which contains multiple data fields (paragraphs 116 and 117), each table corresponding to its respective channel in the channel line-up (paragraph 117), of individual program records having a title field to identify a program name (paragraph 73), and sorting comprising of arranging the records according to a stopped name version of the program name in the title field which is kept (paragraph 91). It fails to teach of the tables being related such that one

record in a table indexes another record in another table. Byrne et al teaches of an EPG, which uses a relational database schema, which allows data from separate tables to be related to each other (column 6, lines 15-50).

Rodriguez et al and Byrne et al are analogous art because they are both related to electronic program guides.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the relational database schema in Byrne et al with the system in Rodriguez et al because flexibility to respond to changes such as additional data and efficiency in allowing rapid display, searching, and other controls are provided (Byrne, column 6, lines 15-24).

Claim 9 discloses a method for delivering program data for an electronic program guide executing at a remote client, the method comprising: storing program data for an electronic program guide in multiple tables, the tables comprising one or more program tables with records of programming information, the program tables having a title field for program titles, and one said record in one said table indexes another said record in another said table; sorting the records in the program tables according to the title field, wherein the sorting comprises arranging the records according to stopped name versions of program names in the title field; and constructing a data file to hold the tables. Rodriguez et al teaches of storing program data for an EPG in a digital broadband delivery system (DBDS) (paragraphs 21 and 117), presenting program data in a channel-time grid which contains multiple records (paragraph 73), multiple sets of tables which contains multiple data fields (paragraphs 116 and 117), each table

corresponding to its respective channel in the channel line-up (paragraph 117), of an EPG database which is a data file to hold the sorted tables (paragraph 73), of individual program records having a title field to identify a program name (paragraph 73), and sorting comprising of arranging the records according to a stopped name version of the program name in the title field which is kept (paragraph 91). It fails to teach of the tables being related such that one record in a table indexes another record in another table. Byrne et al teaches of an EPG, which uses a relational database schema, which allows data from separate tables to be related to each other (column 6, lines 15-50).

Rodriguez et al and Byrne et al are analogous art because they are both related to electronic program guides.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the relational database schema in Byrne et al with the system in Rodriguez et al because flexibility to respond to changes such as additional data and efficiency in allowing rapid display, searching, and other controls are provided (Byrne, column 6, lines 15-24).

Claim 18 discloses a computer system, comprising: a memory; a processor coupled to the memory; and a data sorter program stored in memory and executed on the processor to sort electronic program guide (EPG) data according to a data type into records arranges in multiple tables, at lease two said tables are related such that one said record in one said table indexes another said record in another said table prior to delivery of the EPG data to a remote client wherein the data type is a program title, and the data sorter program is configured to sort the EPG data according to a stopped name

version of the program title. Rodriguez et al teaches of a memory (paragraph 61), a processor couple to the memory (paragraph 59), a data sorter stored in memory (paragraphs 21, 32, and 91), of individual program records having a title field to identify a program name (paragraph 73), and sorting comprising of arranging the records according to a stopped name version of the program name in the title field which is kept (paragraph 91).

It fails to teach of the tables being related such that one record in a table indexes another record in another table. Byrne et al teaches of an EPG, which uses a relational database schema, which allows data from separate tables to be related to each other (column 6, lines 15-50).

Rodriguez et al and Byrne et al are analogous art because they are both related to electronic program guides.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the relational database schema in Byrne et al with the system in Rodriguez et al because flexibility to respond to changes such as additional data and efficiency in allowing rapid display, searching, and other controls are provided (Byrne, column 6, lines 15-24).

Claim 21 discloses a processing system, comprising: sorting means for sorting program data for an electronic program guide according to a data type that a viewer is likely to search, wherein the program data is sorted into multiple tables, at least one said table includes a record that indexes a record in another said table wherein the sorting means sorts the program data according to stopped names of program titles;

and transmission means for transmitting the sorted program data to the client. Rodriguez et al teaches of sorting program data for an EPG according to a field a viewer is likely to search (paragraphs 21, 32, and 91), of individual program records having a title field to identify a program name (paragraph 73), sorting comprising of arranging the records according to a stopped name version of the program name in the title field which is kept (paragraph 91), and transmitting the data to a client (paragraph 97). It fails to teach of the tables being related such that one record in a table indexes another record in another table. Byrne et al teaches of an EPG, which uses a relational database schema, which allows data from separate tables to be related to each other (column 6, lines 15-50).

Rodriguez et al and Byrne et al are analogous art because they are both related to electronic program guides.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the relational database schema in Byrne et al with the system in Rodriguez et al because flexibility to respond to changes such as additional data and efficiency in allowing rapid display, searching, and other controls are provided (Byrne, column 6, lines 15-24).

Claim 24 discloses a television entertainment system, comprising: multiple clients to receive television signals and corresponding program data for an electronic program guide (EPG), individual clients having a search engine to search the program data; and an EPG server to sort the program data prior to delivery to the client, the program data being sorted according to a selected parameter to place the program data in a sorted

arrangement to facilitate searching at the client, wherein the sorted arrangement includes a record for the selected parameter that indexes another record for another parameter, wherein the EPG server sorts the program data according to stopped name versions of program titles. Rodriguez et al teaches of multiple clients receiving television signals and an EPG (paragraph 63), an EPG server to sort the program data prior to delivery to client (paragraphs 21, 32, and 91), of individual program records having a title field to identify a program name (paragraph 73), and sorting comprising of arranging the records according to a stopped name version of the program name in the title field which is kept (paragraph 91). It fails to teach of the tables being related such that one record in a table indexes another record in another table. Byrne et al teaches of an EPG, which uses a relational database schema, which allows data from separate tables to be related to each other (column 6, lines 15-50).

Rodriguez et al and Byrne et al are analogous art because they are both related to electronic program guides.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the relational database schema in Byrne et al with the system in Rodriguez et al because flexibility to respond to changes such as additional data and efficiency in allowing rapid display, searching, and other controls are provided (Byrne, column 6, lines 15-24).

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al (US PGPUB US2002/0059623).

Claim 14 discloses a computer-readable medium comprising computer-executable instructions that, when executed, direct a computing system to: sort program data for an electronic program guide according to stopped names of program titles; and store the program data in a data structure for delivery to a remote client. Rodriguez et al teaches of sorting program data according to the title name in the title field and storing the program data in an EPG database for delivery to a remote client (paragraphs 21, 32, 73, 90, and 91). It fails to teach of sorting the name in the title field as a form of a stopped name version. The stopped name version of the program name can be interpreted as a version of the title stored in memory available based on display limitations (paragraphs 73 and 91).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to sort the records according to the name in the title field because program data sets are able to be coalesce into one and to organize it into a format suitable for reception and interpretation by the EPG application running on the digital home communication terminal (Rodriguez, paragraph 21).

Claim 15 discloses a computer-readable medium as recited in claim 14, further comprising computer-executable instructions that, when executed, direct a computing system to deliver the data structure to the remote client. Rodriguez et al further teaches the EPG is delivered to a remote client (paragraphs 21, 32, 68, 73, and 122).

Claim 16 discloses a data structure stored on a computer-readable medium, comprising: multiple tables to store program data for use in an electronic program guide; the tables comprising program tables composed of records with programming

information, the program tables having a title field to hold program titles; and the records of the program tables being sorted by stopped name versions of the program titles. Rodriguez et al teaches of storing program data for an EPG in a digital broadband delivery system (DBDS) (paragraphs 21 and 117), presenting program data in a channel-time grid which contains multiple records (paragraph 73), multiple sets of tables which contains multiple data fields (paragraphs 116 and 117), each table corresponding to its respective channel in the channel line-up (paragraph 117), and of sorting program data according to the title name in the title field and storing the program data in an EPG database for delivery to a remote client (paragraphs 21, 32, 73, 90, and 91). It fails to teach of sorting the name in the title field as a form of a stopped name version. The stopped name version of the program name can be interpreted as a version of the title stored in memory available based on display limitations (paragraphs 73 and 91).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to sort the records according to the name in the title field because program data sets are able to be coalesce into one and to organize it into a format suitable for reception and interpretation by the EPG application running on the digital home communication terminal (Rodriguez, paragraph 21).

**(10) Response to Argument**

Claims 14-16

(A) Applicant asserts on pages 13-16 the prior art does not teach of stopped names of programs titles.

As to point (A), Rodriguez et al teaches of sorting episode program guide by having data for multiple sorts such as program theme or title (paragraph 91). A title can be in various forms including abbreviated or elaborate versions (paragraph 73). A title is widely known in the art to have various formats including a stopped name of a program.

(B) Applicant asserts on page 15 the Examiner makes an unsupported assertion that "at the time of the invention it would have been obvious to a person of ordinary skill in the art to sort the records according to the name in the title field in order to coalesce program data sets into one and to organize it into a format suitable for reception and interpretation by the EPG application running on the digital home communication terminal."

As to point (B), support for the Examiner's assertion can be found in Rodriguez et al in paragraph 21.

(C) Applicant asserts on page 16, Rodriguez et al and Byrne do not teach of "stopped name version of program titles" in claim 16.

As to point (C), claim 16 was rejected under 35 U.S.C. 103(a) under Rodriguez et al alone and not in view of Byrne et al. Rodriguez et al teaches of sorting episode program guide by having data for multiple sorts such as program theme or title (paragraph 91). A title can be in various forms including abbreviated or elaborate versions (paragraph 73). A title is widely known in the art to have various formats including a stopped name of a program.

Claims 4, 9, 18, 21, and 24

(D) Applicant asserts on pages 17-18, Rodriguez et al in view of Byrne does not teach of "stopped name versions of program titles".

As to point (D), Rodriguez et al teaches of sorting episode program guide by having data for multiple sorts such as program theme or title (paragraph 91). A title can be in various forms including abbreviated or elaborate versions (paragraph 73). A title is widely known in the art to have various formats including a stopped name of a program.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Brian Gillis
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Art Unit 2141
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Conferees:

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